

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOHN GARRETT SMITH,

Plaintiff,

v.

LEWIS, et al.,

Defendants.

NO: 2:20-CV-143-TOR

ORDER DENYING CONSTRUED
MOTION FOR RECONSIDERATION

BEFORE THE COURT is Plaintiff's document titled, "Plea for Emergency Injunction Against Judicial Corruption Plus Motion for Extension of Filing Fee Deadline Due to State Interference," ECF No. 8, which the Court liberally construes as a Motion for Reconsideration of the Order Dismissing Action for non-payment of the filing fee issued on May 14, 2020, ECF No. 6. Plaintiff, a prisoner at the Stafford Creek Corrections Center in Aberdeen, Washington, is proceeding *pro se*; Defendants have not been served. The Motion was considered without oral argument on the date signed below.

1 A motion for reconsideration of a judgment may be reviewed under either
2 Federal Rule of Civil Procedure 59(e) (motion to alter or amend a judgment) or Rule
3 60(b) (relief from judgment). *Sch. Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1262
4 (9th Cir. 1993). “Reconsideration is appropriate if the district court (1) is presented
5 with newly discovered evidence, (2) committed clear error or the initial decision was
6 manifestly unjust, or (3) if there is an intervening change in controlling law.” *Id.* at
7 1263; *United Nat. Ins. Co. v. Spectrum Worldwide, Inc.*, 555 F.3d 772, 780 (9th Cir.
8 2009). Whether to grant a motion for reconsideration is within the sound discretion
9 of the court. *Navajo Nation v. Confederated Tribes and Bands of the Yakima Nation*,
10 331 F.3d 1041, 1046 (9th Cir. 2003). Here, no grounds for reconsideration exist.

11 Plaintiff claims that he is a “an award-winning, High-Functioning Autistic
12 Natural Scientist,” whose liberty and property were “stolen” in connection with his
13 state criminal proceedings in 2013 in which an allegedly fabricated voice mail was
14 used to convict him. ECF No. 8 at 6. Plaintiff accuses a judicial officer of acting
15 “illegally and foolishly with total disregard for integrity to justice,” concerning
16 habeas corpus proceedings filed in the Western District of Washington. *Id.* at 4. He
17 further accuses this judicial officer of being “a domestic terrorist, who uses the law
18 as a weapon to advance ANTI-Constitutional abuses.” *Id.* at 5. Even if Plaintiff had
19 paid the filing fee in this action, this is not the forum in which to challenge the actions
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1 of judicial officers in other parts of Washington State. No further reconsideration of
2 Plaintiff's arguments is warranted.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 **1.** Plaintiff's construed Motion for Reconsideration, ECF No. 8, is **DENIED**.

5 **2.** The file remains **CLOSED**.

6 The Clerk's Office is directed to enter this Order and provide a copy to
7 Plaintiff. The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal
8 from this decision could not be taken in good faith.

9 **DATED** June 9, 2020.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge